


069

**CITY OF AMMON**  
**ORDINANCE NO. 502**

<b>Instrument # 1391521</b>	
IDAHO FALLS, BONNEVILLE, IDAHO	
5-20-2011	09:50:38 No. of Pages: 7
Recorded for : CITY OF AMMON	
RONALD LONGMORE	Fee: 0.00
Ex-Officio Recorder Deputy 	
Index to: ORDINANCE	

**AN ORDINANCE CORRECTING THE LEGAL DESCRIPTION CONTAINED WITHIN ORDINANCE #403 RECORDED ON SEPTEMBER 13, 2006, INSTRUMENT NUMBER 1237289 ANNEXING CERTAIN LANDS TO THE CITY OF AMMON, BONNEVILLE COUNTY, IDAHO; DESCRIBING WITH PARTICULARITY SAID LANDS TO BE ANNEXED AND HEREBY ANNEXED AND DECLARING SAID LANDS A PART OF THE CITY OF AMMON, BONNEVILLE COUNTY, IDAHO; DETERMINING THE PROPER ZONING FOR CLASSIFICATION OF THE ANNEXED LANDS AND TERRITORY UNDER THE ZONING ORDINANCE OF THE CITY OF AMMON, IDAHO; PROVIDING FOR AN EFFECTIVE DATE FOR THIS ORDINANCE AND OF THE ANNEXATION OF SAID LANDS.**

(Doves Landing PROPERTY)

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF AMMON, IDAHO THAT:

WHEREAS, the land and property hereinafter described is contiguous and adjacent to the city boundaries of the City of Ammon, Bonneville County, Idaho, and the City has received a petition to annex said property to the City of Ammon and the property is subject to annexation pursuant to the provisions of the Idaho Code; and,

WHEREAS, the City Council of the City of Ammon has determined that it is not necessary to hold a public hearing before the City Council on the request for annexation and the City Council can act upon the public hearing and recommendation of the Planning and Zoning Commission.

NOW THEREFORE, be it hereby ordained by the Mayor and City Council of the City of Ammon:

Section 1.

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MAY 31 2011 Page 1 of 7

TECHNICAL SUPPORT

- (1) That an application was received by the City of Ammon for the annexation and zoning of the property hereinafter described.
- (2) That a public hearing was held before the Planning and Zoning Commission of the City of Ammon following proper legal requirements for advertisement of the hearing and recommendations were received from the Planning and Zoning Commission.
- (3) That the City Council has determined that it is not necessary to hold a public hearing before the City Council and under the authority of Idaho Code Section 67-6509 have declined to do so in this request for annexation and initial zoning.
- (4) That the City Council did make findings of fact upon such hearing.
- (5) That the property to be annexed is contiguous and adjacent to the City of Ammon and is subject to annexation to the City of Ammon.
- (6) That the proposed zoning classifications are compatible with the comprehensive plan. That the zoning of C1, R1-A and RP-A are consistent and compatible with the zoning of adjacent land owned by petitioner and the land annexed is to be used in a venture in conjunction with the adjacent land.
- (7) That because of an error in the zoning legal descriptions included in the original ordinance #403 the developer shall be required to survey and supply corrected legal descriptions within each zoning classification granted within ordinance #403 prior to or as a part of the final plat process.
- (8) That the legal description of the total land parcel as requested by the property owner and advertised in the public hearing notification published in The Post Register on August 16, 2006, shall be listed as exhibit "A" of this document and shall be the total lands considered to be annexed by this ordinance.
- (9) That the legal descriptions as submitted by the property owner's engineer regarding the zoning classification breakdowns have been found to not close as a complete parcel. Those legal descriptions listed as exhibit "B" of this ordinance are supplied for reference of future required surveys and not as acceptance as complete and legal descriptions.

Section 2.

That the land and premises as described exhibit "A" herein situated in Bonneville County, Idaho, shall be and the same hereby is annexed to the City of Ammon, Bonneville County, Idaho and shall be and hereby is declared to be within the City limits and a part of the City of Ammon, Bonneville County, Idaho and is described as follows:

## EXHIBIT "A"

Commencing at the Southwest Section Corner of Section 24, Township 2 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho, and running thence N00°12'58"E along the West Section line of said section 1670.56 feet; thence S89°47'40"E, 1340.24 feet to the West Sixteenth Section line of said section; thence S00°07'50"W along said section line 1277.44 feet; thence S00°07'10"E, 326.27 feet to the north section line of Section 25; thence S00°07'10"E, 1317.61 feet to the north right-of-way line of 21<sup>st</sup> Street; thence S88°43'14"W along said right-of-way line 1349.72 feet to the West Section line of said section; thence N00°05'55"E 1285.23 feet to the point of beginning, containing 90.671 acres.

Ordinance #502  
Correcting  
Ordinance #403

## EXHIBIT "B"

### Zoned R1-A:

Beginning at a point that is N00°12'58"E, 185.56 feet along the West Section line and N90°00'00"E, 51.66 feet from the Southwest Section Corner of Section 24, Township 2 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho, and running thence N00°09'32"E, 1484.81 feet thence S89°47'40"E, 613.90 feet thence S00°00'00"E, 176.19 feet; thence S89°49'43"E, 119.37 feet; thence S00°00'00"W, 166.59 feet; thence S52°41'19"E, 63.13 feet; thence S37°18'41"W, 379.66 feet; thence S51°39'35"W, 52.04 feet; thence S66°00'29"W, 110.06 feet; thence S49°32'32"W, 53.85 feet; thence S16°36'38"W, 53.85 feet; thence S00°08'41"W 591.96 feet, thence S08°51'10"W, 62.07 feet; thence S26°16'08"W, 62.07 feet; thence S34°58'37"W, 101.87 feet; thence N89°53'37"W, 74.04 feet; thence N00°00'00"E, 20.05 feet; thence N00°08'41"E, 136.25 feet; thence N89°53'58"W, 189.13 feet to the point of beginning, containing 16.917 acres.

### Zoned RP-A:

Beginning at a point that is N00°12'58"E, 1670.56 feet along the West Section line and S89°47'40"E, 664.08 feet from the Southwest Section Corner of Section 24, Township 2 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho, and running thence S89°47'40"E, 706.16 feet; thence S00°07'45"W, 1277.44 feet; thence S00°07'06"E, 1643.89 feet to the north right-of-way line of 21<sup>st</sup> Street; thence S88°43'14"W, 1102.62 feet along said right-of-way line; thence N00°08'41"E, 463.57 feet; thence N03°48'24"E, 88.20 feet; thence N07°59'31"E, 122.05 feet; thence N05°24'21"E, 217.05 feet; thence N08°26'19"W, 217.05 feet; thence N02°46'34"W, 84.97 feet; thence N22°23'34"E, 65.97 feet; thence N31°36'11"E, 70.34 feet; thence N 34°58'37"E, 101.87 feet; thence N26°16'08"E, 62.07 feet; thence N08°51'10"E, 62.07 feet; thence N00°08'41"E, 591.96 feet; thence N16°36'38"E, 53.85 feet; thence N49°32'32"E, 53.85 feet; thence N66°00'29"E, 110.05 feet; thence N51°39'35"E, 52.04 feet; thence N37°18'41"E, 379.66 feet; thence N52°41'19"W, 63.13 feet; thence N00°00'00"E, 166.59 feet; thence N89°49'43"W, 119.37 feet; thence N00°00'00"E, 176.19 feet to the point of beginning, containing 62.363 acres.

### Zoned C-1:

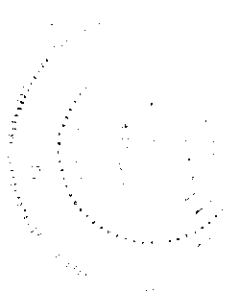
Beginning at a point that is N00°12'58"E, 185.56 feet along the West Section line and N90°00'00"E, 51.66 feet from the Southwest Section Corner of Section 24, Township 2 North, Range 38 East of the Boise Meridian, Bonneville County, Idaho, and running thence S89°53'58"E, 189.13 feet; thence S00°07'35"W, 156.30 feet; thence S89°53'37"E, 74.04 feet; thence S31°36'11"W, 70.34 feet;

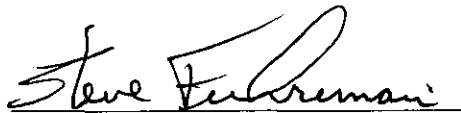
thence S22°23'34"W, 65.97 feet; thence S02°46'34"E, 84.97 feet; thence S08°26'19"E, 217.05 feet; thence S05°24'21"W, 217.05 feet; thence S07°59'31"W, 122.05 feet; thence S03°48'24"W, 88.20 feet; thence S00°08'41"W, 463.57 feet to the north right-of-way line of 21<sup>st</sup> Street; thence S88°43'14"W along said right-of-way line 176.12 feet; thence N45°34'02"W, 27.93 feet; thence N00°08'42"E, 1450.14 feet to the point of beginning, containing 7.017 acres.

Section 3.

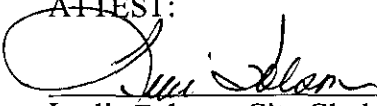
This ordinance shall become effective upon its passage by the City Council, approval by the Mayor and due publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 19<sup>th</sup> day of May, 2011.



  
Steve Fuhrman, Mayor  
City of Ammon

ATTEST:



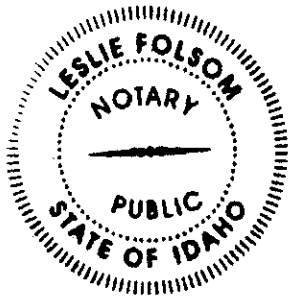
Leslie Folsom, City Clerk  
City of Ammon

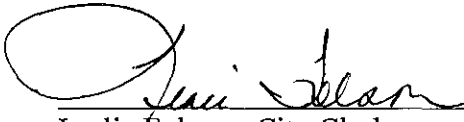
STATE OF IDAHO                    )  
  ) ss.  
County of Bonneville            )

I, LESLIE FOLSOM, CITY CLERK OF THE CITY OF AMMON, IDAHO, DO  
HEREBY CERTIFY: That the above and foregoing is a full, true and correct copy of the  
Ordinance entitled,

**AN ORDINANCE CORRECTING THE LEGAL DESCRIPTION CONTAINED WITHIN  
ORDINANCE #403 RECORDED ON SEPTEMBER 13, 2006, INSTRUMENT NUMBER  
1237289 ANNEXING CERTAIN LANDS TO THE CITY OF AMMON, BONNEVILLE  
COUNTY, IDAHO; DESCRIBING WITH PARTICULARITY SAID LANDS TO BE  
ANNEXED AND HEREBY ANNEXED AND DECLARING SAID LANDS A PART OF  
THE CITY OF AMMON, BONNEVILLE COUNTY, IDAHO; DETERMINING THE  
PROPER ZONING FOR CLASSIFICATION OF THE ANNEXED LANDS AND  
TERRITORY UNDER THE ZONING ORDINANCE OF THE CITY OF AMMON,  
IDAHO; PROVIDING FOR AN EFFECTIVE DATE FOR THIS ORDINANCE AND OF  
THE ANNEXATION OF SAID LANDS.**

Dated this 19<sup>th</sup> day of May, 2011.



  
\_\_\_\_\_  
Leslie Folsom, City Clerk





2135 South Ammon Road, Ammon, Idaho 83406

May 20, 2011

Idaho State Tax Commission  
Attn: Craig Johnson  
800 Park Blvd., Plaza IV  
Boise, ID. 83722

Dear Craig:

Attached please find the details on Dove's Landing subdivision property, via Ordinance 502, for your processing.

This subdivision was submitted under Ordinance 403, but with a legal description that would not close. We have redone the Ordinance and Ordinance 502 should correct this error.

I'll be looking forward to your acceptance of this property. If you have any questions or concerns that I haven't addressed, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie Folsom". The signature is fluid and cursive, with a large loop at the beginning.

Leslie Folsom  
City Clerk

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MAY 31 2011

TECHNICAL SUPPORT